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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,479	06/04/2001	Shell S. Simpson	10007656-1	5359

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EXAMINER


DUONG, OANH L

ART UNIT PAPER NUMBER

2155

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/874,479	Applicant(s) SIMPSON ET AL. 	
	Examiner Oanh L. Duong	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>06/04/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-4, 18-21 and 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Martin, Jr. et al. (Martin) (US 6,610,105 B1).

Regarding claim 1, Martin teaches a system for providing links to services available to an operable connected local computer over a network, comprising:

a thin portal service for finding services available to said local computer (col. 1 lines 29-48 and col. 13 lines 48-50);

a thin portal service web content created by said thin portal service for returning links to the discovered available services (i.e., producing navigation aid on a web page, col. 3 lines 22-37 and col. 13 lines 51-53); and,

a web browser installed on said local computer for displaying said thin portal service content (col. 2 lines 47-56 and col. 13 lines 54-55).

Regarding claim 2, Martin teaches thin portal service queries the network for information on the current environment (col. 2 lines 40-42).

Regarding claim 3, Martin teaches thin portal service queries the network by determining any one from the following group of network information: network information on the current environment of the local computer; active network address of the local computer; available communication with the public Internet by the local computer; available communication with the public Internet by a web proxy server connected to said local computer; available services located on the local area network; type of available services located on the local area network; and, available devices located on the local area network (col. 7 lines 34-51 and col. 11 lines 29-48).

Regarding claim 4, Martin teaches thin portal service creates said thin portal web content providing links to the discovered available services (col. 3 lines 22-37).

Regarding claim 18, a server computer of claim 18 has the same components and functions as the system of claim 1; therefore, claim 18 is rejected under the same rationales as applied to claim 1.

Regarding claim 19, a method of claim 19 has a corresponding system of claim 1; therefore, claim 19 is rejected under the same rationale as applied to claim 1.

Regarding claim 20, Martin teaches querying network information on the current environment of the local computer (col. 2 lines 40-42); and, determining the active network address of the local computer (col. 7 lines 34-51 and col. 11 lines 29-48).

Regarding claim 21, Martin teaches discovering available services on the local area network (col. 4 lines 56-58).

Claims 24-26 are rejected under the same rationale as applied to claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5-12, 15-17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Moyer et al. (Moyer) (US 2002/0174206 A1).

Regarding claim 5, Martin does not explicitly teach a personal imaging repository.

Moyer teaches a personal imaging repository for storing imaging data to be used by the available services, wherein said personal imaging repository is an exchange infrastructure between the imaging data and the available services (page 6 paragraph 49 and page 9 paragraph 77). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the personal imaging repository of Moyer in the process of providing services to local computer in Martin because such a personal imaging repository would enable digital images to be stored or uploaded to the user's account or to a specific directory or URL corresponding to the user, thereby allowing the stored/uploaded digital images to be retrieved quickly and easily.

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Regarding claim 6, Martin-Moyer teaches personal imaging repository is associated through user information stored with said personal imaging repository (Moyer, page 9 paragraph 77).

Regarding claim 7, Martin-Moyer teaches said user information is available through an extension component (Moyer, page 9 paragraph 77).

Regarding claim 8, Martin-Moyer teaches said personal imaging repository stores the imaging data in a plurality of file formats (Moyer, page 11 paragraph 88).

Regarding claim 9, Martin-Mayer said file format is any one from the group consisting of: Joint Photographic Experts Group Format; Graphics Interchange Format; Portable Network Graphics Format; Tagged Image File Format; Portable Document Format; and, Microsoft Windows bitmap format (Moyer, page 11 paragraph 88).

Regarding claim 10, Martin-Moyer teaches said personal imaging repository comprises an imaging data store for storing imaging data (Moyer, page 10 paragraph 80).

Regarding claim 11, Martin-Moyer teaches said imaging data store is assigned to a user associated with said personal imaging repository for storing imaging data for user usage (Moyer, page 7 paragraph 77).

Regarding claim 12, Martin-Moyer teaches said imaging data store is assigned to a web service for storing imaging data available to the public (Moyer, page 7 paragraph 56).

Regarding claim 15, Martin-Moyer teaches one of the available services is an imaging source service for accessing said personal imaging repository assigned to a particular user profile (Moyer, page 7 paragraph 56 and page 9 paragraph 77).

Regarding claim 16, Martin-Moyer teaches one of the available services is an imaging destination service for providing service to the assigned user of the personal imaging repository (Moyer, page 7 paragraph 56 and page 9 paragraph 77).

Regarding claim 17, Martin teaches a local computer for providing links to services available over a network, comprising:

- a thin portal service for finding available services that are operably connected to the local computer (col. 1 lines 29-48 and col. 13 lines 48-50);

- a thin portal service web content for returning links to the discovered available services to said local computer (col. 3 lines 22-37 and col. 13 lines 51-53);

- a web browser installed on said local computer for displaying said thin portal service content (col. 2 lines 47-56 and col. 13 lines 54-55).

Martin does not explicitly teach a personal imaging repository.

Moyer teaches a personal imaging repository for storing imaging data, and wherein said personal imaging repository is an exchange infrastructure between the imaging data and the available services (page 6 paragraph 49 and page 9 paragraph 77). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the personal imaging repository of Moyer in the process of providing services to local computer in Martin because such a personal imaging repository would enable digital images to be stored or uploaded to the user's

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account or to a specific directory or URL corresponding to the user, thereby allowing the stored/uploaded digital images to be retrieved quickly and easily.

Regarding claim 22, Martin-Moyer teaches determining whether the local computer is connected to any available devices (Moyer, page 4 paragraph 34).

3. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Moyer in further view of Narayen et al. (Narayen) (US 6,635,323).

Regarding claim 13, Martin-Moyer does not explicitly teach composition store as claimed.

Narayen teaches a composition store for storing imaging compositions of the imaging data that are serviced as a single unit (col. 6 lines 28-64). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the composition store of Narayen in the teachings of Martin-Moyer because such composition store would allow a user of a digital camera to easily distribute or publish images from the digital camera (Narayen, col. 2 lines 27-27-31)

Regarding claim 14, Martin-Moyer-Narayen teaches a link reference for each imaging data (Narayen, col. 6 lines 28-64).

4. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Corwin (US 2002/0075812 A1).

Regarding claim 23, Martin does not explicitly teach determining whether the local computer can communicate with the public internet, and, determining whether

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there is a web proxy server connected to the local computer for communicating with the public Internet.

Corwin teaches determining whether the local computer can communicate with the public internet, and, determining whether there is a web proxy server connected to the local computer for communicating with the public Internet (page 2 paragraphs 16-20). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the determining steps of Corwin in the process of providing available services in Martin because such determining steps would enable the local computer to relocate, connect to various gateway/proxies without interruptions or disturbances in network connectivity (Corwin, page 1 paragraph 7).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.D

September 30, 2004


HOSAIN ALAM
VISORY PATENT EXAMINER